

01-12-00

PTO/SB/05 (4/98)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

01/11/00

# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(b)

## APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

Attorney Docket No.	7905
First Inventor or Application Identifier	Matthew Todd Hupp
Title	SLIDABLY SEALABLE CONTAINER HAVING AN AUXILIARY TRACK
Express Mail Label No.	EJ837507340US

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification Total Pages [16]  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) Total Sheets [ 2 ]
4. Oath or Declaration Total pages [ 2 ]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)
  - i. ☐ DELETION OF INVENTORS  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
§§1.63(d)(2) and 1.33(b).

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

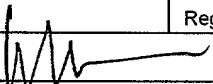
7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
13. ☐ \*Small Entity ☐ Statement filed in prior application  
Statement(s) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
15. ☐ Other: .....

\* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY  
SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS  
REQUIRED (37. C.F.R. §1.27), EXCEPT IF ONE FILED IN A PRIOR  
APPLICATION IS RELIED UPON (37 C.F.R. §1.28).

16. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the preliminary amendment:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.   /    
Prior application information: Examiner:            Group/Art Unit:             
For CONTINUATION or DIVISIONAL only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b,  
is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can  
only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		or <input checked="" type="checkbox"/> Correspondence address below	
NAME	LARRY L. HUSTON				
	THE PROCTER & GAMBLE COMPANY				
ADDRESS	WINTON HILL TECHNICAL CENTER				
	6100 CENTER HILL AVENUE				
CITY	CINCINNATI	STATE	OHIO	ZIP CODE	45224
COUNTRY	U.S.A.	TELEPHONE	(513) 634-2964	FAX	(513) 645-3612

Name (Print/Type)	Larry L. Huston	Registration No. (Attorney/Agent)	32,994
Signature		Date	January 11, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231

# FEE TRANSMITTAL FORM

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16 (c))	13 - 20	0	x \$18.00 =	\$0
	INDEPENDENT CLAIMS (37 CFR 1.16 (c))	3 - 3	0	x \$78.00 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$260.00 =	\$0
				BASIC FEE (37 CFR 1.16(a))	\$690.00
				Total of above Calculations =	\$690.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				TOTAL =	\$690.00

19. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is enclosed.

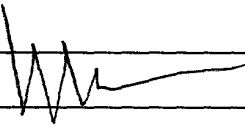
- a. ☒ Any patent application filing fees required under 37 CFR 1.16.
- b. ☒ Any patent application processing fees under 37 CFR 1.17.

20. The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is enclosed.

- a. ☒ Any patent application processing fees under 37 CFR 1.17.
- b. ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- c. ☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

21. The total number of duplicate copies enclosed is 5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

## 11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED


NAME	LARRY L. HUSTON
SIGNATURE	
DATE	JANUARY 11, 2000

"Express Mail" mailing label number EJ837507340US

Date of Deposit JANUARY 11, 2000

I hereby certify that this paper/fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

DONITA KONRAD  
Name

  
Signature

"Express Mail" mailing label number  
EJ 837 567 34005

Date of Deposit January 11, 2000

I hereby certify that this paper/fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231

DONITA KONRAD

Name

Donita Konrad

Signature

**P&G CASE NO. 7905**

## **SLIDABLY SEALABLE CONTAINER HAVING AN AUXILIARY TRACK**

**Matthew Todd Hupp**

### FIELD OF INVENTION

This invention is directed to containers for storage of objects, and more particularly containers which are sealable with a cover.

### BACKGROUND OF THE INVENTION

Sealable containers are known in the art. For example, U.S. Pat. Nos. 3,784,055, iss. Jan. 8, 1974 to Anderson, and 3,967,756, iss. July 6, 1976 to Barish, incorporated herein by reference, disclose containers having plug seals. However, plug seals require significant manual manipulation to effect tight sealing. Unless the user is careful, such a seal may not perimetrically enclose the aperture through which the contents of the container are to be accessed. Unless full perimetric enclosure is obtained, perishable contents stored in the container may spoil.

Another type of seal is illustrated in commonly assigned U.S. Pat. No. 5,996,882, iss. Dec. 7, 1999 to Randall, and incorporated herein by reference. This patent discloses a container having a closure means activatable by an externally applied force.

One attempt in the art to overcome the problem of having to manipulate a full perimeter closure, without having visual, tactile, or audible signal that full sealing has been obtained, is to use a slider, as illustrated in U.S. Pat. No. 3,660,875, iss. May 9, 1972 to

5 Gutman, and incorporated herein by reference. However, to date, sliders have only been capable of unidirectional operation. Sliders are not capable of operation in an XY plane when used in conjunction with a rigid seal.

U.S. Pat. No. 4,013,214, iss. Mar. 22, 1977 to Hansen et al., discloses a multiple plastic container having a cover with a hinged connection to the base. U.S. Pat. No. 10 5,046,659, iss. Sept. 9, 1991 to Warburton, discloses a thermoformed plastic container having a locking lid and base. U.S. Pat. No. 5,577,627, iss. Nov. 26, 1996 to Richie-Dubler, discloses a thermoformed plastic container having a lid and base with an integral hinge. U.S. Pat. 5,339,973, iss. Aug. 23, 1994 to Edwards et al., discloses a container having a seal flange comprising a curved surface which interlocks over an arc of more than 180 degrees.

15 U.S. Pat. No. 5,667,092, iss. Sept. 16, 1997 to Julius et al., discloses a container comprising a cover having a lid tray and peripheral flange. U.S. Pat. No. 5,507,407, iss. Apr. 16, 1996 to Feer et al., discloses a container lid having a peripheral flange dimensioned to receive the rim of a container. The flange terminates at a skirt having a lever arm to allow removal of the lid from the container. Likewise, U.S. Pat. No. 5,377,860, iss. Jan. 3, 1995 20 to Littlejohn et al., discloses a food container having a unitary base and also a unitary lid. U.S. Pat. No. 5,058,761, iss. Oct. 22, 1991 to Williams, discloses a reclosable package having a lid and base fusion bonded and peelably sealed.

U.S. Pat. No. 5,524,990, iss. June 11, 1996 to Buck, discloses a flexible container having a flap which closes the container opening. A stiffening element extends around the 25 periphery of the flap. However, such a container is neither sealable with a slider, nor sealable by manipulating only a limited sector of the stiffening element.

U.S. Pat. No. 4,576,330, iss. Mar. 18, 1986 to Schepp, discloses a tray and hinged lid having a locking engagement internal to a flange. U.S. Pat. No. 4,576,307, iss. Mar. 18, 1986 to Frydenberg, discloses a container having elements held together by a sliding latch. 30 The sliding latch precludes opening of the container by preventing transverse movement of a post/rail combination. U.S. Pat. No. 5,427,266, iss. June 27, 1995 to Yun, discloses a lid with a visual seal indication for proper closure. U.S. Pat. No. 5,651,462, iss. July 29, 1997 to Simonsen et al., discloses a rigid reclosable package having a flexible cover.

5       None of the aforementioned references disclose a container having a rigid seal extending with vector components in both directions of an X-Y plane and being closable with a slider which is congruently translatable relative to said seal.

### SUMMARY OF THE INVENTION

10

The invention comprises a container closable with a cover. The container has an aperture through which contents of the container may be accessed. The aperture has a perimeter at least partially, and preferably fully perimetrically, sealable therearound with a seal. The container is sealable with a slider. The slider is movable in a path juxtaposed with at least a portion of the perimeter. At least a portion of the track is spaced apart from the seal.

15

The slider may apply or release the seal as the slider moves along the track to close or open the seal, respectively. The track and seal are congruent for a sector of the perimeter and spaced apart from each other at a point circumferentially displaced from that sector.

20

In another execution, the invention comprises a method of opening and closing a container. The container has upstanding sidewalls and a removable cover sealingly engaged to an aperture at a perimeter seal. The seal is applied to and released from the aperture by using a slider movable along a track. The method comprises the steps of providing the container and the cover, providing a slider disposed in the track having first and second spaced apart terminal ends, which are also spaced apart from the seal. The slider moves from one terminal end into engagement with the seal. The slider is traced along the track congruent with the seal, whereby the slider open or closes the cover relative to the container as the slider applies or releases the seal, respectively.

25

30

### BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a perspective view of a container according to the present invention, illustrating the cover in the open position, and a slider not engaging the seal of the container.

5        Fig. 2 is a top plan view of the container of Fig. 1 showing the cover in the closed condition and the slider having moved from a position which does not engage the seal to a position which does engage the seal.

      Fig. 3 is a vertical sectional view taken along lines 3-3 of Fig. 2.

10                    DETAILED DESCRIPTION OF THE INVENTION

      Fig. 1 depicts a preferred embodiment of a container 10 according to the present invention. The container 10 includes a container body preferably unitarily formed from sheet material. A cover 12 is included with the container 10 and may be unitarily formed  
15        with the container 10. The container 10 further includes a seal 14 for perimetrically closing the cover 12 onto the seal 14. The seal 14 defines an XY plane, and a Z-direction orthogonal thereto.

      The container 10 is reversibly transformable between two conditions, an open condition wherein the cover 12 is removed from the container 10 and the contents of the  
20        container 10 may be accessed. The contents of the container 10 may be accessed through an aperture 26. When the cover 12 of the container 10 is in the open position, contents may be inserted into or removed from the container 10.

      In the other condition, the container 10 is closed and the cover 12 sealed onto the container 10. The closed condition prevents unintended removal, and potentially  
25        tampering with the contents of the container 10. If desired, a lock (not shown) may be included to prevent unauthorized access to the container 10 when the cover 12 is closed.

      The cover 12 may be generally congruent and substantially coextensive of the circumference of the container 10 as illustrated. Alternatively, it is to be understood that the aperture 26 and cover 12 may be sized and/or shaped to have a geometry which is  
30        different from that of the aperture 26 of the container 10. While the illustrated embodiments show a container 10 having a cover 12 which allows access to the top of the container 10, it is to be understood a cover 12 which is disposed on one or more of the sidewalls 20 or even the bottom of the container 10 may be included. Further, the container 10 may have a plurality of covers 12, as desired. For example, the top of the  
35        container 10 may have two smaller covers 12 rather than one large cover 12 or,

5 alternatively, the top of the container 10 may have one cover 12 and one or more sidewalls 20 of the container 10 have additional covers 12. Further, the container 10 may be internally partitioned as desired.

The container 10 is at least partially sealable with the cover 12 when the cover 12 is in the closed position. In some embodiments, it may be desirable that the seal 14  
10 perimetrically enclose the container 10 when the cover 12 is attached. A perimetric closure of the seal 14 may be desired when perishable contents are stored in the container 10 or dust and contamination are to be kept out of the container 10 for hygienic purposes. Alternatively, a partial seal 14 of the container 10 may be desirable when aspiration of the container 10 is sought. For example, if the container 10 is to be used for microwave  
15 heating of food contents, venting of the container 10 may be desired.

The container 10 according to the present invention may be relatively small, such that the container 10 may be stored in one's pocket or purse. Such a container 10 may be useful for storing pills, capsules, etc. Alternatively, the container 10 may be relatively large such that the container 10 is sized to fit a flat bed semi-truck. Such a container 10  
20 may be useful for carrying construction materials, etc. One contemplated use for the container 10 is to store perishable items such as food.

The container 10 comprises a floor pan 22 and sidewalls 20 projecting outwardly from the floor pan 22. Preferably, in use, the sidewalls 20 project upwardly and terminate at a distal end forming the aperture 26 of the container 10. The illustrated embodiment  
25 has four sidewalls 20. However, it is to be recognized the invention is not so limited. For example, the container 10 may have three or more sidewalls 20, may be round, oval, etc.

The cover 12 may be generally flat, as illustrated, or may have a convex inward or convex outward orientation, as desired. For certain embodiments, it is preferred that the cover 12 be substantially flat so that the container 10 is stackable.

30 The floor pan 22 defines and lies in a first plane. For the embodiment illustrated, the floor pan 22 is defined by the vertices at the four corners of the upstanding sidewalls 20. The floor pan 22 may be domed convex inwardly to increase strength, as is known in the art. Particularly, domed floor pans 22 provide increased strength for loading by the contents of the container 10 in a direction normal to the floor pan 22. Alternatively, the  
35 floor pan 22 may be disposed convex outwardly, although this may decrease stability

5 when the container 10 rests on a horizontal surface. It is to be recognized and appreciated that the floor pan 22 may be domed as is known in the art yet still define a plane.

The sidewalls 20 are illustrated to be generally perpendicular to and projecting outwardly from the floor pan 22. It is to be recognized that sidewalls 20 which project outwardly in a non-perpendicular orientation, e.g., such as a divergent orientation to  
10 provide a greater cross section at the top of the container 10 than at the floor pan 22, are known and may be utilized in accordance with the present invention.

Preferably, but not necessarily, the container 10 is formed from a unitary sheet of material. By forming the container 10 from a unitary sheet of material, the presence of seal 14 lines within the body of the container 10 is eliminated and pathways for leakage are  
15 reduced.

Various compositions suitable for constructing the storage containers 10 of the present invention include substantially impermeable materials such as polyvinyl chloride (PVC), polyvinylidene chloride (PVDC), polyethylene (PE), polypropylene (PP), aluminum foil, coated (waxed, etc.) and uncoated paper, coated nonwovens etc., and  
20 substantially permeable materials such as scrim, meshes, wovens, nonwovens, or perforated or porous films, whether predominantly two-dimensional in nature or formed into three-dimensional structures. Such materials may comprise a single composition or layer or may be a composite structure of multiple materials, including a substrate material utilized as a carrier for a substance. Materials found suitable for use in accordance with  
25 the present invention include a low density polyethylene film, 10 mil (0.25 millimeters) thickness, commercially available from Chevron under the manufacturer's designation PE1122 and syndiotactic polypropylene of 20 mil (0.5 millimeters) thickness available from Fina Corp. under manufacturer's designation EOD96-28. Further suitable materials include a polyethylene/polypropylene blend. Wood and metal may be used for larger size  
30 containers 10.

Optionally, the container 10 may be reversibly erectable and collapsible. Particularly, such a container 10 is reversibly transformable between collapsed and erected conditions. A collapsible container 10 may be made by having a plurality of the sidewalls 20 interconnected and projecting outwardly from the floor pan 22. At least one of the  
35 sidewalls 20 may have a hinge line disposed substantially parallel to the plane of the floor

pan 22. The hinge line divides the sidewall 20 into upper and lower portions, each of which is articulable about the hinge line when the container 10 is transformed between the collapsed and erected conditions. Preferably, each of the sidewalls 20 has a hinge line and/or an optional gusset to effect collapse and erection. Another form of collapsible container 10 is illustrated in the aforementioned and incorporated U.S. Pat. No. 5,996,882, iss. Dec. 7, 1999 to Randall. If it is desired to make a resiliently deformable container 10, the container 10 may be made according to the teachings of commonly assigned U.S. Pat. No. 5,379,897, iss. Jan. 10, 1995 to Muckenfuhs et al., and incorporated herein by reference. The seal 14 of the present invention, having a slider 60 which activates the seal 14 upon the application of force in the XY plane, is particularly useful for containers 10 which collapse in the Z-direction, as described below. This arrangement reduces occurrences of unintended collapsing of such a container 10, and containers 10 intended to have constant volume.

If desired, the container 10 may further be selectively reinforceable, particularly if the sidewalls 20 of the container 10 are collapsible. The sidewalls 20 may be reinforceable with an upstanding strut removable from the sidewalls 20 without separation from the container 10. The struts is transformable between a first position providing reinforcement to the sidewalls 20 and the second position wherein the strut does not provide reinforcement to the sidewall 20. Such a strut may be proximally articulable and hingedly attached to the container 10 at the juncture of the floor pan 22 and respective sidewall 20.

The reinforcement may further comprise a floor pan 22 support. The floor pan 22 support spans the floor pan 22, and preferably the major axis thereof. If desired, the floor pan 22 support may be unitarily formed with one or more struts which selectively reinforce the sidewalls 20.

Referring to Fig. 1, and examining the aperture 26, the seal 14 and the cover 12 of the container 10 in more detail, the seal 14 may be disposed on a flange 52. The flange 52 is circumjacent the aperture 26 of the container 10, although it is to be understood that in a less preferred embodiment, the seal 14 may be internal to the aperture 26 of the container 10.

The seal 14 is preferably rigid, even though the sidewalls 20 may be flaccid, self-supporting, and/or reversibly collapsible and erectable as noted above. By rigid, it is

5 meant that the seal 14, even if compliant, has vector components extending in both the X and Y directions when the container 10 is in its natural, unconstrained state. Thus, when the container 10 is empty, the seal 14 extends in both the X and Y directions. Further, the aperture 26 of such a container 10 has the same geometry whether the container 10 is empty or filled under normal usage conditions.

10 A seal 14 is considered to be applied and operable when the cover 12 is in the closed position and the seal 14 resists and contains a static hydraulic pressure of at least 2.5 centimeters of distilled water at 20°C. Such a seal 14 may be tested by filling the container 10 to the appropriate depth, applying the seal 14, then turning the container 10 on its side so that 2.5 centimeters of distilled water are applied at a height of 2.54  
15 centimeters above the seal 14. If no leakage occurs within 15 seconds, the seal 14 is considered to be applied and operable.

The seal 14 defines an XY plane and a Z-direction orthogonal thereto. The seal 14 extends in at least two directions, such that the seal 14 defines a path having multiple vector components in each of the X and Y directions. The seal 14 path may be rectilinear,  
20 curvilinear, or a combination thereof.

In one embodiment, the seal 14 may be disposed in two mutually perpendicular directions, one substantially parallel to the X direction and the other substantially parallel to the Y direction. Such directions may be congruent or even coincident the top edge of the sidewalls 20 of the container 10. If so, the seal 14 defines a vertex having a minimum  
25 radius of curvature determinable by the specific type of seal 14 to be employed, as discussed below. The vertex defines a Z-direction axis perpendicular to the aforementioned XY plane. It is to be noted that the XY plane so defined may be, and is preferably substantially parallel to the plane defined by the floor pan 22 of the container 10, although skewed plane relationships are specifically contemplated. The seal 14 may lie  
30 within the XY plane, and the cover 12 removable in a direction having a Z-direction vector component. It is to be recognized that the cover 12 may be articulable as shown or translatable in the axis of the vertex. In contrast to the slider 60 type geometries illustrated in the aforementioned and incorporated U.S. Pat. No. 3,660,875, iss. May 9, 1972 to Gutman, the seal 14 of the present invention is orthogonal to the axis of the  
35 vertex.

5           If the slider 60 is used, activation of the slider 60 in the closing direction compresses the seal 14. The seal 14 may be thought of as having a longitudinal axis within the XY plane of the path of the seal 14. The slider 60 compresses the seal 14 in a direction substantially perpendicular to the longitudinal axis.

10           If it is desired to remove the cover 12 from the container 10 without a hingeable articulation as illustrated, guide rails may be joined to and project from the internal or external surfaces of the sidewalls 20 of the container 10. The cover 12 may be joined to the guide rails. The guide rails may have slots extending perpendicular to the XY plane of the seal 14. The cover 12 is thus translatable perpendicular to the XY plane by movement along the guide rails.

15           Whether an articuable cover 12 is selected, or a cover 12 translatablely removable from the aperture 26 of the container 10 is selected, in either case, the cover 12 may not necessarily separate from the container 10 even though it is removable therefrom. By not being separable from the container 10, it is meant that the cover 12 cannot be permanently displaced apart from the container 10 without tearing or gross deformation of the material comprising either the container 10, the cover 12, or any members connecting or adjoining the container 10 to the cover 12. By not separating the cover 12 from the container 10, the benefit occurs that the cover 12 does not become misplaced, lost, or intermixed with covers 12 from like-sized containers 10 having different hygienic or sanitary requirements.

20           Referring to Fig. 3, the seal 14 may comprise any type of reusable mechanism known in the art. Suitable seals 14 include fin seals 14, adhesive seals 14, cohesive seals 14, selectively activatable adhesives as illustrated by commonly assigned U.S. Pat. Nos. 5,662,758, iss. Oct. 2, 1997 in the names of Hamilton et al., 5,871,067, iss. Feb. 16, 1999 in the names of Hamilton et al., Application Ser. No. 08/745,339, filed Nov. 8, 1996 in the name of McGuire et al., and Application Ser. No. 08/745,340, filed Nov. 8, 1996 in the name of Hamilton et al., incorporated herein by reference, and seals 14 having a friction fit or a compression fit, as illustrated. By reusable, it is meant that the cover 12 of the container 10 may be reversibly transformed between each of the open and closed positions at least two times and still functionally seal 14 the container 10.

35           One suitable type of seal 14, as illustrated, utilizes complementary projections 54 and recesses 56. It is to be understood that the illustrated embodiment utilizes a flange 52

5 extending in the XY plane. The flange 52 is circumjacent the aperture 26 of the container 10. The flange 52 has a projection 54 extending normal to the XY plane. The cover 12 has a recess 56 extending normal to the XY plane and complementary with the projection 54. The projection 54 is inserted into the recess 56, providing a compression seal 14 which extends at least partially, and preferably perimetrically around the aperture 26 of the container 10.

It is to be understood by one of ordinary skill that this disposition may be reversed, so that the recess 56 is disposed in the flange 52 of the container 10. Further, the cover 12 of the container 10 may also have a flange 52 also extending in the XY plane.

If desired, the container 10 may be sealable with a slider 60. As used herein, a slider 60 is an apparatus which moves along the aforementioned path of the seal 14 to open, close, or preferably open and close the seal 14.

Referring to Fig. 2, if the optional slider 60 is included with the container 10 and cover 12, the slider 60 may be movable in a path juxtaposed with the perimeter of the aperture 26. It is to be understood that the seal 14 need not be coincident or juxtaposed with the perimeter of the aperture 26 of the container 10.

The slider 60 may activate the seal 14, whereby the slider 60 applies the seal 14 when moved in a first direction and releases the seal 14 when moved in the opposite direction. Thus, activation of the seal 14 includes either application of the seal 14, such as desired for closing the container 10, or release of the seal 14, such as desired for opening the container 10, or both.

The slider 60 may be disposed in a track 62, thus distinguishing the slider 60 of the present invention from and insuring the slider 60 of the present invention does not include an ordinary zipper. The track 62 is spaced apart from the seal 14. In the illustrated embodiments, the track 62 is outboard of the seal 14, it being understood the track 62 could be inboard of the seal 14 as well. The track 62 is in operative association with the seal 14, whereby the slider 60 can be disposed in the track 62, and still activate the seal 14 in either or both of the apply and release directions. The track 62 is preferably congruent with the seal 14, as illustrated.

The slider 60 is preferably frustoconically shaped. The inside of the slider 60 applies the seal 14 upon activation in the closing direction. The outside of the slider 60

5 releases the seal 14 upon activation in the opening direction. A suitable slider 60 for use with the present invention is disclosed in the commonly assigned U.S. patent application filed of even date herewith in the name of Hupp and entitled "Slider Applying Opening Or Closing Forces to A Reclosable Fastener Lying In A Two Dimensional Plane", which application is incorporated herein by reference.

10 It is to be recognized that there are various configurations comprising an appropriate seal 14/track 62 combination. Generally, any geometry having a friction, interference, or compression fit of the seal 14 against parent material of either the container 10 or cover 12 while also providing a guide surface for the slider 60 will be suitable. It is to be recognized that the guide surface, and hence the track 62, will be  
15 spaced apart from the seal 14.

The track 62 may, and preferably does, further comprise one or more auxiliary tracks 64. The auxiliary tracks 64 are defined as those portions of the track 62 which are not operatively juxtaposed with the seal 14. The slider 60 may ride in the track 62 until it no longer engages the seal 14, then enters the auxiliary track 64. When the slider 60 is  
20 disposed in the auxiliary track 64, the slider 60 does not engage, and thus cannot activate, the seal 14. The auxiliary track 64 may be disposed radially outward of the seal 14, as illustrated, or, if the track 62 is inboard of the seal 14, may be disposed radially inward of the seal 14. Preferably, the auxiliary track 64 does not cross the seal 14, otherwise a perimetric seal 14 will not occur unless engagement occurs at the top of the seal 14.

25 In the external track 62 embodiment, the container 10 is perimetrically enclosable by the seal 14, a benefit not previously obtainable. The seal 14 is circumferentially applied and released, with or without the slider 60, around the perimeter of the aperture 26. The seal 14 may be applied, at least partially around the perimeter of the aperture 26, by activation, manually or with a slider 60, beginning at a first circumferential position and  
30 continuing in serial fashion around the container 10 to a second position circumferentially spaced apart from the first position. The cover 12 is attached to the container 10 at yet a third circumferential position. The third position is circumferentially juxtaposed with at least one of the first position and second positions, and preferably both such positions, as illustrated.

5 Referring still to Fig. 2, two auxiliary tracks 64 are shown. The cover 12 is hingedly attached to the container 10 at the third position. The auxiliary tracks 64 circumferentially bound the hinged attachment of the cover 12 to the container 10. Thus, preferably, the container 10 has two auxiliary tracks 64 as illustrated. With this arrangement, the slider 60 can be parked in one auxiliary track 64 upon translation in the opening direction, so that the slider 60 does not interfere with opening of or access to the contents of the container 10. Likewise, the slider 60 can be parked in the other auxiliary track 64 upon activation of the seal 14 in the closing direction. It is, of course, recognized that the slider 60 may be parked in the auxiliary track 64 at a position not juxtaposed with the hinge or other means for attaching the cover 12 to the container 10.

15 In the auxiliary track 64, the terminal end 66 of the slider 60 need only be spaced apart from the seal 14 a distance sufficient to allow the slider 60 to clear the seal 14, so that the cover 12 may be opened or closed as desired without interference from the slider 60. For the embodiments illustrated, a slider 60 having a width in the radial direction, the terminal ends 66 of the auxiliary tracks 64 are spaced outwardly, in the radial direction, from the seal 14 a distance sufficient to accommodate the width of the seal 14 and the width of the slider 60.

It is not necessary that the auxiliary track 64 have a terminal end 66 which predisposes the slider 60 to park in a particular position. If desired, the slider 60 may be removed from the auxiliary track 64, and thus separated from the seal 14 and container 10. Such an arrangement may be useful where it is desired to independently clean or refurbish the slider 60.

In an alternative embodiment (not shown), the slider 60 may be parked in a position juxtaposed with, or even coincident the seal 14. In such an arrangement, the cover 12 may have a cut-out which allows the cover 12 to clear the slider 60 so that the cover 12 may be opened from the aperture 26 of the container 10 without interference from the slider 60.

In operation, the container 10 is at least partially and preferably perimetrically sealable upon closure by the cover 12. The seal 14 subtends a first sector of the perimeter. The first sector preferably subtends at least 270 degrees, more preferably subtends 360 degrees. The seal 14 may be fully applied throughout the first sector, by activation in the

10 If desired, the container 10 and cover 12 may comprise two or more seals 14 disposed in series. Such seals 14 may be radially offset so that multiple occurrences of leakage through the seal 14 are required before the cover 12 is breached. Alternatively, an individual seal 14 may comprise two or more sliders 60. In such an arrangement, each slider 60 subtends a portion of the first sector.

15

## WHAT IS CLAIMED IS:

1. A container closable with a cover, said container having an aperture with a perimeter at least partially sealable therearound with a seal, said container being sealable with a slider, whereby said slider is movable in a path juxtaposed with at least a portion of said perimeter, said slider moving in a track, at least a portion of said track being spaced apart from said seal.
2. A container having a perimeter, said container being openable or closable with a slider movable along a track, whereby said slider applies or releases a seal as said slider moves along said track, said track and said seal being congruent for a sector of said perimeter and being spaced apart from said perimeter at a point circumferentially displaced from said sector.
3. A container according to Claim 1, sealable around said entire perimeter.
4. A container according to Claim 3, comprising upstanding walls wherein said seal is disposed on a flange circumjacent said upstanding walls.
5. A container according to Claim 4, wherein said seal is leak resistant.
6. A container according to Claim 5, wherein said seal comprises a compression seal.
7. A container according to Claim 6, wherein said seal comprises a C-shaped cross section.
8. A container according to Claim 2, wherein said seal subtends a first sector, and said track subtends a second sector, said first sector being greater than said second sector.

9. A container according to Claim 1, wherein said track has at least one terminal end disposed outboard of said seal.
10. A container according to Claim 9, wherein said hinge is disposed outboard of said seal.
11. A method of opening and closing a container, said container comprising upstanding sidewalls and a removable cover sealably engagable at a perimeter seal, said seal being applied to and releasable from said container by a slider movable along a track, said method comprising the steps of :  
providing said container and said cover, providing a slider disposed in a track having first and second spaced apart terminal ends, said terminal ends of said track being spaced apart from said seal;  
moving said slider from said one said spaced apart terminal end into engagement with said seal;  
tracing said slider along said track congruently with said seal, whereby said slider opens or closes said cover relative to said container as said slider applies or releases said seal, respectively.
12. A method according to Claim 11, wherein said step of opening or closing said container comprises the step moving said slider from the first terminal end to the second terminal end, said track subtending an arc of less than 360 degrees.
13. A method according to Claim 11, wherein said step of tracing said slider comprises the step of activating said slider to apply said seal, whereby said seal is operable against a static hydraulic pressure of 2.5 centimeters of distilled water.

### ABSTRACT OF THE DISCLOSURE

A container. The container has an aperture through which contents may be accessed. The aperture is sealable with a cover. The seal is opened or closed with a slider. The slider rides in a track which is congruent with the perimeter of the aperture. A portion of the track diverges from congruency to form an auxiliary track in which the slider may be parked. When parked, the cover may be opened or closed.

CASES\DFSCauxtrack2.doc

1/11/00

CONFIDENTIAL

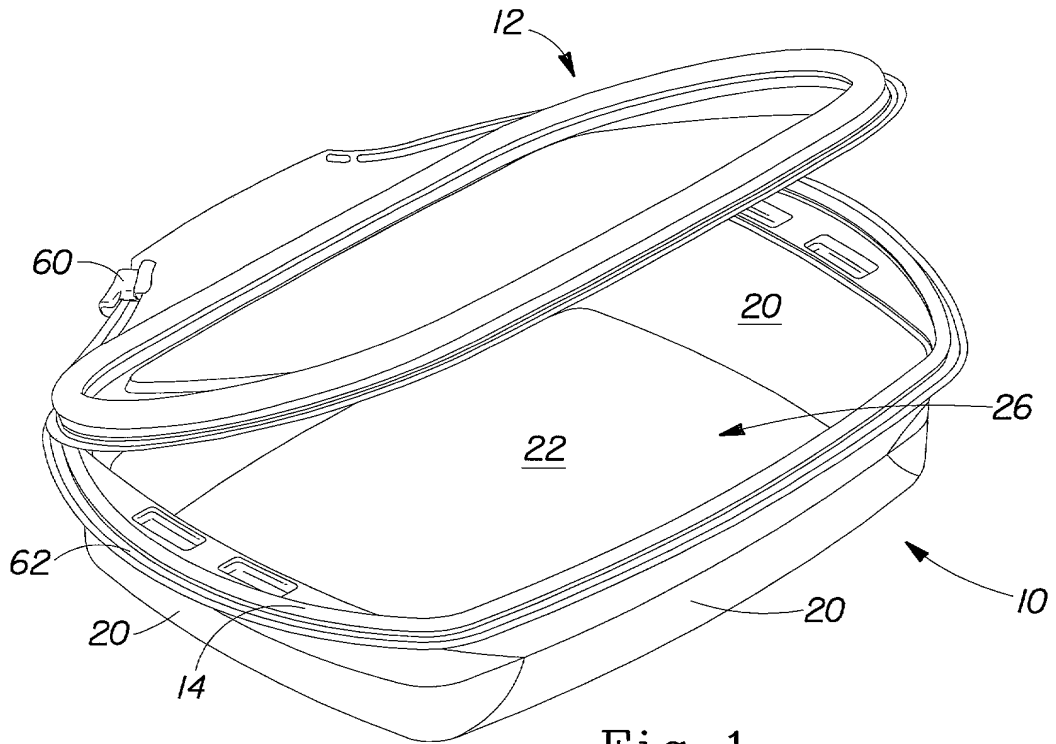


Fig. 1

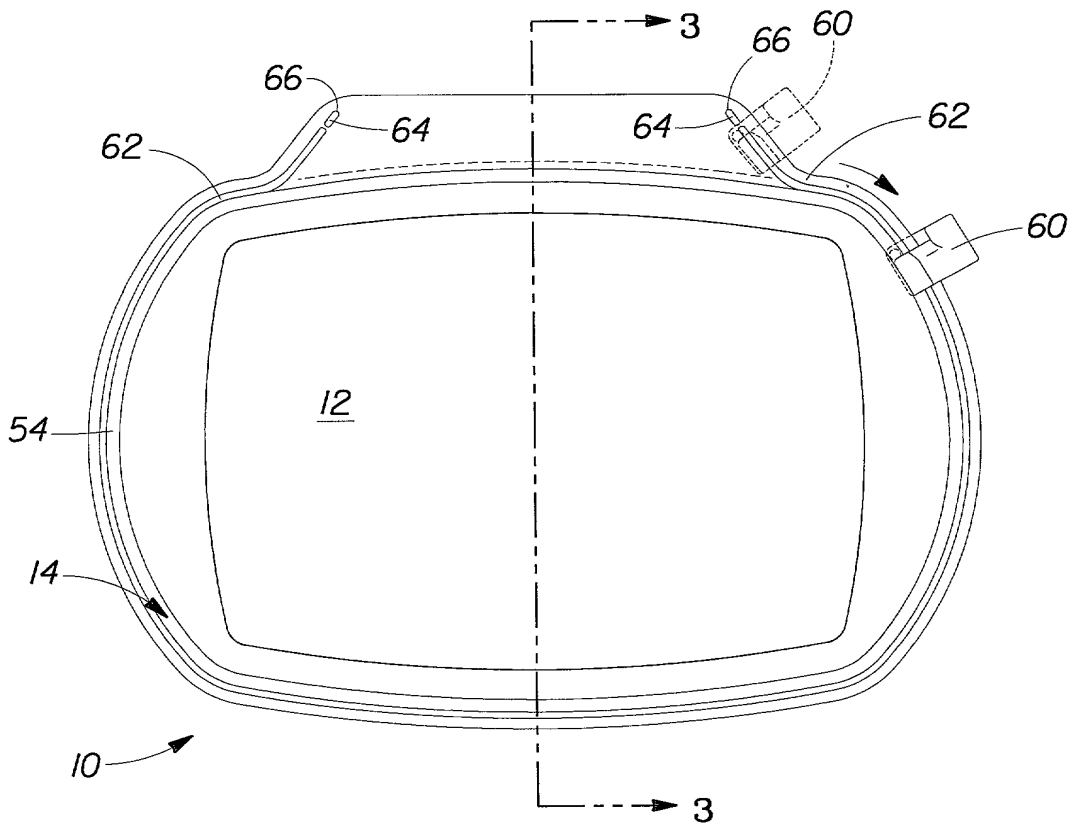


Fig. 2

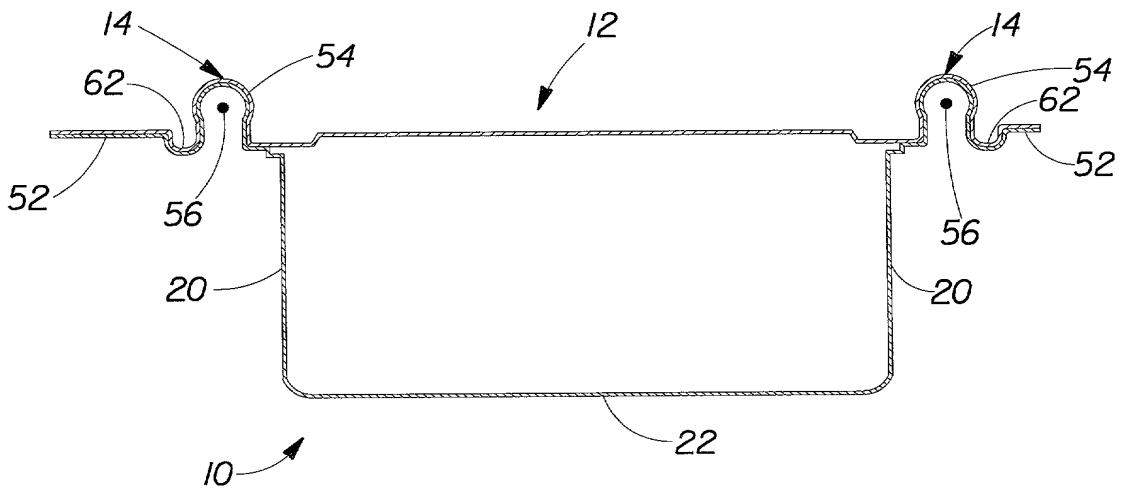


Fig. 3

## DECLARATION COMBINED WITH POWER OF ATTORNEY

Page 1 of 2

Attorney Docket No. 7905

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SLIDABLY SEALABLE CONTAINER HAVING AN AUXILIARY TRACK

the specification of which

(check one) ☒ [X] is attached hereto.  
☐ [ ] was filed on \_\_\_\_\_ as  
 Application Serial No. \_\_\_\_\_  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in accordance with Title 37 Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35 United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐  
Yes

☐  
No

(Number)

(Country)

(Day/Month/Year Filed)

☐  
Yes

☐  
No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Serial No.

Filing Date

Application Serial No.

Filing Date

I hereby claim the benefit under Title 35 United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

I hereby appoint the following as my attorney(s) or agent(s) with full power of substitution to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Associate Power

of Attorney Attached

Atty Name

Atty Reg Number.

☐ Yes ☒ No

E. Kelly Linman

26,759

Larry L. Huston

32,994

Vladimir Vitenberg

42,204

Roddy M. Bullock

37,290

Julie A. Glazer

41,783

Jay A. Krebs

41,914

Kevin D. Hogg

31,839

Edward J. Milbrada

40,090

Donald E. Hasse

29,387

Leonard W. Lewis

30,769

SEND CORRESPONDENCE TO:

Larry L. Huston

The Procter & Gamble Company

(513) 634-2964

Name

Phone No.

6100 Center Hill Avenue

Cincinnati

Ohio

45224

Street

City

State

Zip Code

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Matthew Todd Hupp

Inventor's signature

Matthew Todd Hupp

01/11/00

Date

Residence 11624 Timber Ridge Lane, Apt. 3, Cincinnati, Ohio 45241

Citizenship U.S.

Post Office Address The Procter & Gamble Company, Winton Hill Technical Center

6100 Center Hill Avenue, Cincinnati, Ohio 45224

cases\7905\decl